

Issue: Consolidation of grievances for a single hearing; Ruling Date: February 10, 2012; Ruling No. 2012-3283; 2012-3284; Agency: University of Virginia Health System; Outcome: Consolidation Granted.



COMMONWEALTH of VIRGINIA
Department of Employment Dispute Resolution
CONSOLIDATION RULING OF DIRECTOR

In the matter of the University of Virginia Health System
Ruling Numbers 2012-3283, 2012-3284
February 10, 2012

This ruling addresses the consolidation of the grievant's two January 3, 2012 grievances filed with the University of Virginia Health System (the agency). For the reasons discussed below, this Department finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The two January 3, 2012 grievances at issue each concern disciplinary actions issued to the grievant, leading to her termination. After the parties failed to resolve the grievances during the management resolution steps, the agency head qualified the grievances for hearing. The agency has asked for appointment of a hearing officer in these matters. Both the agency and the grievant have agreed that the grievances should be consolidated for a single hearing.

DISCUSSION

Approval by the Director of this Department or her designee in the form of a compliance ruling is required before two or more grievances may be consolidated in a single hearing. Moreover, EDR may consolidate grievances for hearing without a request from either party.¹ EDR strongly favors consolidation and will consolidate grievances when they involve the same parties, legal issues, policies, and/or factual background, unless there is a persuasive reason to process the grievances individually.²

This Department finds that consolidation of the grievant's two January 3, 2012 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances all relate to disciplinary actions issued to the grievant that led to her termination. Further, we find that consolidation is not impracticable in this instance. Therefore, in light of the parties' agreement that

¹ *Grievance Procedure Manual* § 8.5.

² *See id.*

consolidation is acceptable, the grievant's two January 3, 2012 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

This Department's rulings on compliance are final and nonappealable.³

Claudia T. Farr
Director

³ See Va. Code §§ 2.2-1001(5), 2.2-3003(G).